

Remarks

Claims 1-3, 10, 12, 57-59, 70, and 72 as amended and claims 4, 6-9, 11, 13, 16-56, 60-69, 71, and 73 as filed are currently pending. Claims 14 and 15 were withdrawn as being directed towards a non-elected invention. Claim 5 was cancelled as it was redundant in view of the restriction requirement. Claims 14 and 15 were also cancelled. The material covered by claims 5, 14, and 15 was cancelled without prejudice to the filing of continuing applications.

The claims were amended to remove material that was directed towards a non-elected invention, and to correct minor typographic errors. No new matter was added by these amendments.

All grounds of rejection have been overcome by amendment or argument.

Improper Markush Rejection

Claims 1-13, 16-22, 24-37, and 39-76 stand rejected as being improper Markush claims. Applicants respectfully submit that this rejection is moot in light of the amendments made to the claims. Therefore, the Applicants respectfully request that this rejection be withdrawn.

Obviousness-Type Double Patenting

Claims 1-13 and 16-76 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-13, 15-25, and 145-221 of copending Application No. 09/896,139.

The claims of this application are not obvious in view of those of the '139 application. Further, Applicants note that no such rejection was made in the '139 application. Should the Examiner continue to conclude that the rejection is appropriate, Applicants will re-visit the issue after the claims of the copending application have been allowed.

Miscellaneous

The Patent Office has requested "that dates for the last reference on page 6/11 and the fourth and fourteenth references on page 9/11 of the IDS of October 22, 2001 be provided to complete the record."

Applicants are confused by the request regarding "the last reference on page 6/11" because the last reference, Bodendorf, et al. has a date of 2001. Perhaps the Patent Office meant the second to last reference, i.e., Blatt? If so, Applicants are now unable to identify the correct citation for that reference and request the Examiner to disregard its citation on the 1449.

The fourth reference on page 9/11 of the IDS, i.e., March, is a book, which was copyrighted in 1985.

The fourteenth reference on page 9/11 of the IDS, i.e., Reetz, is dated 1989.


Applicants respectfully contend that all requirements of patentability have been met. Allowance of the claims and passage of the case to issue are therefore respectfully solicited.

Applicants urge the Examiner to contact the Applicants' undersigned representative at (312) 913-2114 if he believes a discussion would expedite prosecution of this application.

Respectfully submitted,

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